THE HON'BLE SRI JUSTICE S.ANANDA REDDY

Rev. W.P.M.P (Sr.) No. 104216 of 2004

in

WRIT PETITION No.4975 of 1994

ORDER:

-

This review petition is filed by the respondent-University in the writ petition stating that though it was brought to the notice of this Court that the respondents 1 and 2 have already left the service of the University and the third respondent alone was continuing, but, however, this Court, while disposing of the writ petition, directed the University to continue the writ petitioners on the premise that they are working since 1992 and they should be continued without giving any artificial break and their services have to be regularized against the sanction of the regular vacancies, which are stated to be pending before the Government.

The grievance of the petitioner - University is that the respondents 1 and 2 have filed a Contempt Case on the ground that they are not being continued in service by virtue of the orders of this Court even though they have resigned and left the service of the University.

The learned Standing Counsel for the petitioner - University contended that since the respondents 1 and 2, have already left the service, they are not entitled for the benefits of the order of this Court, as the order of this Court is intended only to benefit the persons, who are continuing in service on consolidated basis, and who are claiming regularization in the event of the posts being sanctioned by the Government. Therefore, he sought for clarification in the light of the Contempt Proceedings initiated by the respondents 1 and 2.

The learned counsel appearing for the respondents (petitioners in the writ petition) contended that the University is having sufficient work to continue the respondents including respondents 1 and 2. Therefore, taking into account the longstanding experience for which they have worked in the University, their cases also have to be considered for continuing as well as for regularization, and sought for appropriate

orders.

Heard both sides and considered the material available on record.

A perusal of the order of this Court dated 10.09.2003 clearly shows that this Court directed the respondent – University in the writ petition to continue the persons, who are working on consolidated basis, without giving any artificial break and also for regularization in case the posts are sanctioned. But, the said order does not mean to benefit the persons, who have already left the service of the University by resignation or otherwise. Therefore, the persons, such as respondents 1 and 2, who have already left the service by resigning their posts, are not entitled for the benefit of the order of this Court, and the order is intended to benefit only the persons, who are continuing in service either on consolidated or otherwise.

Though the learned counsel for the respondents 1 and 2 contended that the cases of the respondents may be considered for continuation or for regularization even though they are not in service, as they have resigned and gone out their cases could not be considered in this Review Petition. Further, the order of this Court in the writ petition is not intended to benefit such of those persons, who have left the service.

With the above clarification, the review petition is disposed of.

_____

(S.Ananda Reddy, J)

Date: 24.01.2006

va